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MARTY J. JACKLEY
ATTORNEY GENERAL

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JUN 02 2015

S.D. SEC. OF STATE

CHARLES D. McGUIGAN
CHIEF DEPUTY ATTORNEY GENERAL

HAND DELIVERED

June 2, 2015

Hon. Shantel Krebs
Secretary of State
500 E. Capitol
Pierre, SD 57501

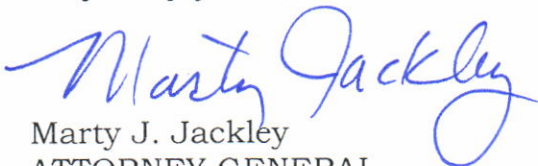
Re: Attorney General's Statement—initiated measure criminalizing tobacco

Dear Secretary Krebs,

Enclosed is an amended Attorney General's Statement regarding the initiated measure criminalizing the transfer of tobacco and tobacco paraphernalia. It contains a corrected spelling of the word "cigarillos" as that word appears in the initiated measure that I forwarded to you on May 20, 2015, along with the Attorney General's Statement. Please replace the prior statement with this one, for all official purposes under SDCL ch. 12-13. By copy of this letter, I am notifying the sponsors as well.

Thank you.

Very truly yours,


Marty J. Jackley
ATTORNEY GENERAL

MJJ/PA/lde

cc w/enc: Bob Newland
Andrew Ziegler
Jason Hancock, Director of LRC

Filed this 2nd day of

June 2015



SECRETARY OF STATE

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INITIATED MEASURE

ATTORNEY GENERAL'S STATEMENT

Title: An initiated measure to criminalize the transfer of tobacco and tobacco paraphernalia

Explanation:

The initiated measure prohibits a person or business from transferring tobacco, tobacco pipes, or tobacco rolling paper to another person or business in this state. In the measure, "tobacco" means cigarettes, cigars, cigarillos, or loose tobacco. "Transfer" includes the sale, delivery, trade, or gift. A transfer of tobacco or tobacco paraphernalia in violation of this measure is a crime. The severity of the maximum criminal penalty increases based upon the quantity of the tobacco or tobacco paraphernalia transferred. In addition, a civil penalty up to ten thousand dollars may be imposed.

If approved, this measure will result in a loss of state and local tax and license revenues. Also, this measure will likely be challenged in court on constitutional grounds. If the challenge is successful, the State of South Dakota may be required to pay money damages, attorney fees and costs.

Filed this 2nd day of

June 2015

Shantel Krebs

SECRETARY OF STATE